

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A kite system, comprising:  
a kite portion; and  
a ballast portion coupled to said kite portion that moves with respect to said kite portion;  
wherein said kite portion comprises comprising a base and a partially exposed substructure coupled to a said base[:];  
wherein said partially exposed substructure flexes said base.
2. (Original) The kite system of Claim 1, wherein said kite portion further comprises:  
one or more masts coupled to said base portion; and  
one or more sails coupled to said one or more mast portions.
3. (Currently Amended) The kite system of Claim 1, wherein said kite portion further comprises one or more lateral supports coupled to said one or more said masts and said base.
4. (Original) The kite system of Claim 3, further comprising rigging coupled to said base and to said one or more masts.
5. (Currently Amended) The kite system of Claim 1, wherein said base comprises:  
a frame; and  
a body portion coupled to said frame.
6. (Currently amended) The kite system of Claim 1, wherein said base is in a form similar to a surfboard.

7. (Original) The kite system of Claim 1, wherein said base is in a form similar to a skateboard.
8. (Original) The kite system of Claim 1, wherein said base is in a form similar to a golf putting green.
9. (Currently amended) The kite system of Claim 1, wherein said base flexing is flexible and is flexed by said partially exposed substructure ~~to cause causes~~ said base to resemble a real-life configuration.
10. (Original) The kite system of Claim 1, wherein said ballast portion comprises:
  - a shell portion; and
  - fill material located within said shell portion.
11. (Currently amended) The kite system of Claim 10, wherein said ballast portion further ~~comprising~~ comprises one or more coupling structures configured to couple to themselves and to said kite portion.
12. (Currently amended) The kite system of Claim 10, wherein said ballast portion further ~~comprising~~ comprises one or more mesh portions coupled to said shell portion configured to allow air to pass therethrough to the interior of said ballast.
13. (Original) The kite system of Claim 1, wherein said ballast portion is coupled to said kite above said base.
14. (Original) The kite system of Claim 1, wherein said ballast portion is removably, selectively, positionally coupled to said kite portion.
15. (Original) The kite system of Claim 1, wherein said ballast portion moves periodically or intermittently with respect to said kite portion when in flight.

16. (Original) The kite system of Claim 1, wherein said ballast portion is a human-like form.
17. (Original) The kite system of Claim 1, wherein said ballast portion is an animal-like form.
18. (Original) The kite system of Claim 1, wherein said ballast portion is a whimsical form.
19. (Currently amended) A kite system, comprising:  
 a flexible base;  
 a substantially exposed substructure coupled to said base in base flexing relation; and  
 one or more masts supported by said base and extending upwardly therefrom ~~sails coupled to said base directly above said base~~.
20. (Currently amended) The kite system of Claim 19, further comprising:  
 one or more ~~masts~~ sails configured to couple to said ~~base and to said one~~  
 or more ~~sails~~ masts, and  
 rigging coupled to said base and said one or more masts.
21. (Original) The kite system of Claim 19, wherein said base comprises:  
 a frame; and  
 a body portion coupled to said frame.
22. (Currently amended) The kite system of Claim ~~49~~ 21, wherein said base frame is flexible.
23. (Original) The kite system of Claim 19, wherein said substantially exposed substructure is coupled to said base to flex said base and to provide stability for said kite.

24. (Currently amended) A kite system, comprising:  
a kite portion including a base, a partially exposed substructure coupled to a said base; and  
a ballast portion comprising a shell, fill material within said shell and one or more coupling structures configured to pivotaly couple said ballast portion to said kite portion for periodic or intermittent movement relative to said kite portion in flight.
25. (Currently amended) A method of using a kite system comprising a kite portion, comprising: including coupling a substantially exposed substructure to a said kite portion in flight stabilizing relation; and  
~~flying the toy such that said substantially exposed substructure stabilizes the system, and~~ maintaining a ballast portion comprising a shell portion and a fill material within said shell portion attached to said kite portion that moves relative to said kite portion in flight and changes the flight characteristics of said flying toy.
26. (Currently amended) A kite system, comprising:  
a kite portion having a sail and flexible base, and  
a partially exposed substructure coupled to a said base in base flexing relation;  
wherein said substructure ~~is~~ comprises a single rod.
27. (Original) The kite system of Claim 26, further comprising wings coupled to said base directly above said base.
28. (Currently amended) The kite system of Claim 26, wherein said ~~base is flexible and is flexed by said partially exposed substructure to cause flexes~~ base to resemble a real-life configuration.
29. (Currently amended) A kite system, comprising:  
a kite portion having a base resembling a truck; and  
a partially exposed substructure coupled to a said base in flexing relation;

wherein said substructure comprises four or more rods and ~~more than two~~  
wheel-like devices arranged to appear as truck wheels supported by said  
substructure rods.

30. (Currently amended) The kite system of Claim 29, further comprising  
wings coupled to said base ~~directly above said base.~~

31. (Currently Amended) A kite system, comprising:  
a kite portion; and  
a ballast portion coupled to said kite portion that moves with respect to  
said kite portion;  
wherein said kite portion comprises a partially exposed substructure  
coupled to a base[,]; and  
wherein said partially exposed substructure flexes said base, such that  
said base imitates a real-world configuration.

32. (Original) The kite system of Claim 31, further comprising wings coupled  
to said base directly above said base.

33. (Original) The kite system of Claim 31, wherein said substructure is a  
single element.